UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/789,461	MARSTON ET AL.
	Examiner	Art Unit
	RYAN J. JAKOVAC	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 April 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-32_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-32_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
>
> sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-32 rejected under 35 U.S.C. 102(b) as being anticipated by Ahmed et al,

European Patent Application Number EP 1085444 (hereinafter Ahmed).

        As to claim 1, Ahmed teaches a messaging system for providing messaging to end-users,

the system comprising (Ahmed teaches in the abstract "systems and methods for providing

electronic messaging services to multiple users".): a data store module for storing messages sent

among the end-users, wherein each message includes one or more submessages and wherein the

data store stores the messages and submessages in a relational manner (In paragraph [0015]

Ahmed teaches "a message-specific storage mechanism to hold the original message as well as

all subsequent replies to that initial message". The replies in Ahmed's teaching are submessages

which are stored relationally to the original message. Replies are associated with an earlier

message by assigning an identifier to the initial electronic message, see also paragraph [0016]

and [0045] disclosing a tree structure or other structural assignment.); and a control module for

applying rules to a submessage based at least in part on a priority assigned to a sender of the

submessage (Ahmed, paragraph [0040], timestamp (i.e. priority) is a means for making the

message available to recipients (i.e. applying rules to submessage). Also, Paragraph [0041-0042],

distribution list (i.e. priority assigned to senders) is used in applying access rules to the

messages.).

As to claim 2, Ahmed teaches the messaging system of claim 1, wherein the data store

module comprises: a contents module adapted to store submessages of the messages sent among

the end- users, wherein a message sent by a sender to a recipient includes one or more references

to submessages in the contents module (In paragraph [0015] Ahmed teaches "electronic

messages that are replies are associated with their corresponding initial message by being placed

in the storage mechanism previously created for each particular message." Ahmed also teaches in

paragraph [0015] that "replies may be associated with an earlier message by assigning an

identifier to the initial electronic message.").

As to claim 3, Ahmed teaches the messaging system of claim 2, wherein the contents

module stores a plurality of submessages and wherein certain ones of the submessages are

created by different end-users at different times (Ahmed's systems and methods are taught in

regards to multiple end users, where replies are sent in regards to a particular initial message, see

the abstract. It is understood that these replies, i.e. submessages, are created by different users,

useful for communicating between one another. Additionally, paragraph [0015] teaches "replies

may be associated with an earlier message by assigning an identifier to the initial message."

Since the messages are related to an earlier message, it is clear that they are created at different

times.).

As to claim 4, Ahmed teaches the messaging system of claim 1, wherein the data store module stores only a single version of each message and/or submessage (In paragraph [0012]-[0013] teaches "the host system stores as few as one copy of the electronic message".).

As to claim 5, Ahmed teaches the messaging system of claim 1, further comprising: an attributes module for storing attributes of the messages and/or submessages in the data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each message and stored with the message. This identifier is understood as an attribute which is being stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise rules, i.e. attributes, which govern access and handling of the message. Some determine whether or not a message can be accessed as well as determining the lifetime of the message. Ahmed also teaches "the rules may be defined as default rules to be used by the electronic messaging services or they may be defined on a message by message basis. It is understood that certain rules are message specific and it is understood that inherent to having these rules operate in their disclosed function, they would need to be stored somewhere.).

As to claim 6, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 7, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is valid (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 8, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating security information for a message and/or submessage (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message." Paragraph [0043] teaches "rules may also indicate if the lifetime of message 180 can be extended and who is authorized to make an extension." Authorizing a user to make an extension is security information for the message.).

As to claim 9, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating whether a message and/or submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message" and that "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 10, Ahmed teaches the messaging system of claim 1, further comprising: a relationships module for holding data describing relationships among the messages and submessages (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter.").

As to claim 11, Ahmed teaches the messaging system of claim 10, wherein the relationships module is adapted to hold data describing submessages within a message (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter." It is interpreted that the data describing the replies are its relational association with the initial message.).

As to claim 12, Ahmed teaches the messaging system of claim 1, further comprising: a client interface module for interfacing with client applications utilized by the end-users to access the messaging system (In paragraph [0034] Ahmed teaches the messaging services being

 Application/Control Number: 10/789,461 Page 8 Art Unit: 4121 provided to clients. Inherent to the client accessing the services would be applications which utilize the services.).

As to claim 13, Ahmed teaches a computer program product comprising (Ahmed teaches in paragraph [0027] that "embodiments within the scope of the present invention also include computer-readable media having computer-executable instructions or data structures stored thereon."): a computer-readable medium having computer program logic embodied therein for providing messaging to end-users, the computer logic comprising (Ahmed teaches in paragraph [0027] that "embodiments within the scope of the present invention also include computer-readable media having computer-executable instructions or data structures stored thereon." The embodiments are in regards to the messaging services.): a data store module for storing messages sent among the end-users, wherein each message includes one or more submessages and wherein the data store stores the messages and submessages in a relational manner (In paragraph [0015] Ahmed teaches "a message-specific storage mechanism to hold the original message as well as all subsequent replies to that initial message". The replies in Ahmed's teaching are submessages which are stored relationally to the original message. Replies are associated with an earlier message by assigning an identifier to the initial electronic message, see also paragraph [0016] and [0045] disclosing a tree structure or other structural assignment.), and wherein the data store stores a jobcode in association with the submessages, the jobcode representing a task (Ahmed, [0043], lifetime of the message is determined. The lifetime indicates how long the message is active for, when all recipients have read the message (i.e. tasks associated with the message). Also, paragraph [0041-0042], distribution list.); and a control module for calculating an

aggregate amount of time spent interacting with submessages associated with the task

represented (Ahmed, [0043], "message may only be useful through a given date, until everyone

has read it, or until recipients no longer access it for a particular time".).

As to claim 14, Ahmed teaches the computer program product of claim 13, wherein the

data store module comprises: a contents module adapted to store submessages of the messages

sent among the end- users, wherein a message sent by a sender to a recipient includes one or

more references to submessages in the contents module (In paragraph [0015] Ahmed teaches

"electronic messages that are replies are associated with their corresponding initial message by

being placed in the storage mechanism previously created for each particular message." Ahmed

also teaches in paragraph [0015] that "replies may be associated with an earlier message by

assigning an identifier to the initial electronic message.").

As to claim 15, Ahmed teaches the computer program product of claim 14, wherein the

contents module stores a plurality of submessages and wherein certain ones of the submessages

are created by different end-users at different times (Ahmed's systems and methods are taught in

regards to multiple end users, where replies are sent in regards to a particular initial message, see

the abstract. It is understood that these replies, i.e. submessages, are created by different users,

useful for communicating between one another. Additionally, paragraph [0015] teaches "replies

may be associated with an earlier message by assigning an identifier to the initial message."

Since the messages are related to an earlier message, it is clear that they are created at different

times.).

As to claim 16, Ahmed teaches the computer program product of claim 13, wherein the

data store module stores only a single version of each message and/or submessage (In paragraph

[0012]-[0013] teaches "the host system stores as few as one copy of the electronic message".).

As to claim 17, Ahmed teaches the computer program product of claim 13, further

comprising: an attributes module for storing attributes of the messages and/or submessages in the

data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each

message and stored with the message. This identifier is understood as an attribute which is being

stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the

messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise

rules, i.e. attributes, which govern access and handling of the message. Some determine whether

or not a message can be accessed as well as determining the lifetime of the message. Ahmed also

teaches "the rules may be defined as default rules to be used by the electronic messaging services

or they may be defined on a message by message basis. It is understood that certain rules are

message specific and it is understood that inherent to having these rules operate in their disclosed

function, they would need to be stored somewhere.).

As to claim 18, Ahmed teaches the computer program product of claim 17, wherein the

attributes module is adapted to store an attribute indicating a length of time that a message and/or

submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services

may also include rules for determining the lifetime of a message." Paragraph [0042] teaches

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 19, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is valid (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 20, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating security information for a message and/or submessage (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message." Paragraph [0043] teaches "rules may also indicate if the lifetime of message 180 can be extended and who is authorized to make an extension." Authorizing a user to make an extension is security information for the message.).

As to claim 21, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating whether a message and/or submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message" and that

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 22, Ahmed teaches the computer program product of claim 13, further comprising: a relationships module for holding data describing relationships among the messages and submessages (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter.").

As to claim 23, Ahmed teaches the computer program product of claim 22, wherein the relationships module is adapted to hold data describing submessages within a message (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter." It is interpreted that the data describing the replies are its relational association with the initial message.).

As to claim 24, Ahmed teaches the computer program product of claim 13, further comprising: a client interface module for interfacing with client applications utilized by the end-

users to access the messaging system (In paragraph [0034] Ahmed teaches the messaging

services being provided to clients. Inherent to the client accessing the services would be

applications which utilize the services.).

As to claim 25, Ahmed teaches a computer-implemented method of providing messaging

to end-users, comprising (Ahmed teaches in the abstract "systems and methods for providing

electronic messaging services to multiple users".): storing messages sent among the end-users in

a data store of a messaging system, wherein each message includes one or more submessages

and wherein the data store stores the messages and submessages in a relational manner (In

paragraph [0015] Ahmed teaches "a message-specific storage mechanism to hold the original

message as well as all subsequent replies to that initial message". The replies in Ahmed's

teaching are submessages which are stored relationally to the original message. Replies are

associated with an earlier message by assigning an identifier to the initial electronic message, see

also paragraph [0016] and [0045] disclosing a tree structure or other structural assignment.); and

applying rules to the submessage based at least in part on a priority assigned to a sender of the

message (Ahmed, paragraph [0040], timestamp (i.e. priority) is a means for making the message

available to recipients (i.e. applying rules to submessage). Also, Paragraph [0041-0042],

distribution list (i.e. priority assigned to senders) is used in applying access rules to the

messages.).

As to claim 26, Ahmed teaches the computer-implemented method of claim 25, further

comprising: defining an attributes module in the messaging system, the attributes module for

storing attributes of the messages and/or submessages in the data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each message and stored with the message. This identifier is understood as an attribute which is being stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise rules, i.e. attributes, which govern access and handling of the message. Some determine whether or not a message can be accessed as well as determining the lifetime of the message. Ahmed also teaches "the rules may be defined as default rules to be used by the electronic messaging services or they may be defined on a message by message basis. It is understood that certain rules are message specific and it is understood that inherent to having these rules operate in their disclosed function, they would need to be stored somewhere.).

As to claim 27, Ahmed teaches The computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 28, Ahmed teaches The computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is valid (In paragraph [0043] Ahmed teaches "the electronic messaging

services may also include rules for determining the lifetime of a message." Paragraph [0042]

teaches "revocation may be accompanied by a message indication that message is no longer

available to the client.").

As to claim 29, Ahmed teaches the computer-implemented method of claim 26, wherein

the attributes module is adapted to store an attribute indicating security information for a

message and/or submessage (In paragraph [0042] Ahmed teaches "the electronic messaging

services also comprise rules for governing access to a message." Paragraph [0043] teaches "rules

may also indicate if the lifetime of message 180 can be extended and who is authorized to make

an extension." Authorizing a user to make an extension is security information for the message.).

As to claim 30, Ahmed teaches the computer-implemented method of claim 26, wherein

the attributes module is adapted to store an attribute indicating whether a message and/or

submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches "the

electronic messaging services also comprise rules for governing access to a message" and that

"revocation may be accompanied by a message indication that message is no longer available to

the client.").

As to claim 31, Ahmed teaches the computer-implemented method of claim 25, further

comprising: defining a relationships module in the messaging system, the relationships module

for holding data describing relationships among the messages and submessages (In paragraph

[0044] Ahmed teaches the organizational components of the systems and methods employed in

the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate

replies with the message that prompted them, each initial message is assigned a message

identifier" and that the "message identifier allows electronic messaging services of the host

system to group replies by subject matter.").

As to claim 32, Ahmed teaches the computer-implemented method of claim 31 (Ahmed

teaches all of the limitations of claim 31), wherein the relationships module is adapted to hold

data describing submessages within a message (In paragraph [0044] Ahmed teaches the

organizational components of the systems and methods employed in the messaging services. In

Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that

prompted them, each initial message is assigned a message identifier" and that the "message

identifier allows electronic messaging services of the host system to group replies by subject

matter." It is interpreted that the data describing the replies are its relational association with the

initial message.).

Response to Arguments

3.   Applicant's arguments filed 04/15/2008 have been fully considered but they are not

persuasive. Applicant's arguments are based on solely on the amendments to claims 1, 13, and

25. Ahmed discloses all the limitations of the amended claims as described above.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003.

The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145